
Report To:	The Planning Board	Date:	2nd March 2011
Report By:	Head of Regeneration and Planning	Report No:	10/0346/IC Plan03/11 Major Application Development
Contact Officer:	David Ashman	Contact No:	01475 712416
Subject:	Demolition of two school buildings and three houses and the construction of new prison with associated infrastructure, servicing and access arrangements at Former Greenock High and Glenburn Schools, Inverkip Road, Greenock.		

SITE DESCRIPTION

The application site consists of the grounds associated with the former Greenock High and Glenburn Schools at Inverkip Road, Greenock. The site includes the school buildings, the janitor houses, blaes pitches, amenity landscaping around the buildings and an area of woodland to the southern edge. The Spango Burn runs through the site, originating in the hills to the south east and is channelled down the eastern boundary before running in a south westerly direction along the frontage with Inverkip Road. The site is currently accessed from Inverkip Road via a bridge over the Spango Burn. It is generally level before rising to the south east where it is populated by trees and bushes. Overall, it extends to 8.74 hectares.

To the south west is the Spango Valley industrial area separated from the development site by unmaintained land. It is bordered to the north west and north east by residential development and to the south east by the Glasgow-Wemyss Bay railway line. Beyond the railway line is hillside along which runs the Greenock Cut.

PROPOSAL

The applicant seeks planning permission in principle to clear the site and develop a new Greenock Prison. There are no detailed layout plans, however illustrative plans have been submitted which show a series of buildings set within a walled compound. Car parking outwith and to the east of the compound, accessed from a proposed new junction with Inverkip Road, is also illustrated. It is advised that the prison buildings are to accommodate 300 cells capable of holding both male and female offenders of all ages, housed in 3 separate units.

The applicant has submitted information in support of the application, including a pre-application consultation report (as a "major" development, it was the subject of pre-application community consultation), a transport assessment, a flood risk assessment, a landscape and visual assessment, a phase 1 habitat and bat survey report, a site investigation appraisal and a planning supporting statement. The supporting information also includes visual examples of recently built prisons including photographs showing their location relative to adjacent land uses.

LOCAL PLAN POLICIES

Local Plan Policy H1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded, and where practicable, enhanced. New residential development will be acceptable, in principle, subject to other relevant Local Plan policies.

Local Plan Policy H9 - Non-Residential Development Proposals within Residential Areas

The introduction of new, or the extension of, non-residential uses in existing residential areas will be acceptable only where such uses are compatible with the character and amenity of the area and satisfy other relevant policies of the Local Plan.

Local Plan Policy DS1 - Preference for Development on Brownfield Sites

A sustainable settlement strategy will be encouraged by having a clear preference for all new development to be located on brownfield land within the urban areas of existing towns and smaller settlements.

Local Plan Policy TA2 - Accessibility of Major Developments

Inverclyde Council, as Planning Authority, will seek to reduce the need to travel by private car by directing new major travel-generating developments to locations accessible by walking, cycling and public transport. Developers may be required to submit Transport Assessments and Green Transport Plans demonstrating that such developments will be easily accessed by means other than the private car.

Local Plan Policy - TA7 Promotion of Walking and Cycling

In order to increase the use of walking and cycling as a means of transport, Inverclyde Council will require that :

- (a) major destinations, including town and local centres, educational establishments, centres of employment and public transport nodes, are accessible and linked by clearly signposted, and well lit and direct footpaths and cycle routes; and
- (b) the needs of cyclists and pedestrians are recognised in new developments and considered in Green Transport Plans.

Local Plan Policy TA9 - Developer Contributions

Inverclyde Council, as Planning Authority, will, for major trip-generating developments, seek contributions from the developer towards pedestrian, cycle, public transport and highway improvements, which have been identified as necessary through an associated transport assessment.

Policy TA12 Impacts on Capacity of Trunk Roads

Where the travel generated by a proposed development results in a significant impact on the flow or safety of traffic on a trunk road, the developer will be expected to mitigate this impact. Such mitigation should initially focus on reducing the private car travel demand of the development, and only after all practicable measures to achieve this have been taken will infrastructure improvements to cope with the additional traffic be considered. Infrastructure improvements to the trunk road will be required to provide 'no net detriment' to flow and safety. Direct access onto the A8(T) or A78(T) from a new development will only be acceptable where:

- (a) it is necessary for a development of major economic benefit to Inverclyde, and where the Scottish Executive and the Council are satisfied that the road will continue to function effectively; or
- (b) it would result in a net improvement to the functioning of the trunk road.

Local Plan Policy HR10 - Planting and Management of Trees and Woodlands

Inverclyde Council will ensure trees and woodland throughout Inverclyde are protected and enhanced through:

- (a) promoting the planting of broad leaved and native species;
- (b) protecting and promoting the positive management of hedgerows, street trees and any other trees considered to contribute to the amenity of the area;
- (c) protecting and promoting the positive management of ancient and semi natural woodlands; and
- (d) encouraging the planting of appropriate trees as an integral part of new development.

Local Plan Policy UT1 - Sustainable Use of Existing Infrastructure

Inverclyde Council, as Planning Authority, will seek to direct new development to areas where connections to existing service infrastructure and public utilities are available, and will work with developers, public utility companies and other providers of service infrastructure to ensure that the most efficient use is made of existing infrastructure. The Council will also encourage continued investment in existing infrastructure, with a view to improving service provision.

Local Plan Policy UT3 - Sustainable Urban Drainage Systems

Inverclyde Council, as Planning Authority, will encourage the inclusion of Sustainable Urban Drainage Systems in appropriate developments, and where included will require agreement to be reached in respect of the continual maintenance of the proposed system prior to planning permission being granted.

Local Plan Policy UT4 - Reducing Flood Risk

Inverclyde Council will seek to reduce the risk of the flooding of non-agricultural areas by resisting development on functional flood plains. Where development is proposed for an area considered to be at risk from flooding, the Council will:

- (a) require the preparation of a Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA);
- (b) seek the incorporation of flood prevention measures able to cope with, as a minimum, a 1 in 200 year rainfall event, depending on the type of development proposed, taking into consideration predicted climate change and sea level changes in the period to 2050, or justification as to why this standard of protection is not required;
- (c) consult with SEPA where development is likely to result in a material increase in the number of buildings at risk from flooding; and
- (d) require Clyde waterfront and coastal development to be protected against coastal flooding to a level of 5 metres above the ordnance datum.

Flood prevention measures and sea defences should not increase the risk flooding elsewhere or have an adverse impact on the natural or built environment. For planning permission to be granted, the Council will require agreement to be reached in respect of the continual maintenance of flood prevention infrastructure and sea defences associated with the proposed development.

CONSULTATIONS

Land Use Consultants –There are weaknesses within the Landscape Visual Impact Assessment with respect to analysis and judgement which remain to be addressed.

Transport Scotland - No objections subject to the imposition of conditions in respect of provision of a new junction access, closure of the existing access, no drainage connections to the trunk road and clarification on details of lighting prior to commencement.

Scottish Environment Protection Agency West – No objections subject to conditions addressing a restriction on the location of development on the site, the submission of further drainage details associated with the proposed access bridge and implementation of flood risk management measures detailed in the Flood Risk Assessment.

Biodiversity Officer – Is satisfied that the potential presence of otters on the site has been addressed.

Head Of Safer And Inclusive Communities - Conditions are suggested in respect of potential contaminated land and investigations into Japanese Knotweed. A series of informatives are to cover other areas such as lighting, odours and refuse disposal.

Scottish Natural Heritage - A further bat survey requires to be carried out before the application is determined. A condition is suggested in respect of preventing clearance of vegetation during the bird breeding season.

SportScotland - No objection.

Head Of Environmental And Commercial Services – Further drainage and attenuation details will require to be provided with any subsequent detailed application. A revised Flood Risk Assessment will have to be provided to include details of the new bridge connecting the proposed new access to Inverkip Road. It will have to be able to convey the 200 year flooding event flow without significant flooding to adjoining properties.

PUBLICITY

The application was advertised in the Greenock Telegraph on 12th November 2010 as there are no premises on neighbouring land.

SITE NOTICES

The nature of the proposal did not require a site notice.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification and press advertisement. Six representations have been received. One response from Architecture and Design Scotland indicated no objection but expressed an interest in being kept informed as the project moves to consideration of a detailed application. Network Rail expressed no objection but set out a series of conditions and advisory notes it wishes the Council to consider.

The remaining four representations are from neighbours. The issues raised may be summarised as follows:

- 1) The number of vehicle trips per day has been underestimated. It is suggested that the level of trips would make the proposal strategically significant with respect to the Structure Plan.

- 2) The proposed position of the prison, the road alterations and the location of railway stations will not encourage sustainable modes of public transport and the development is therefore unsustainable.
- 3) The additional parking provision (over and above the existing prison) has not been justified and will encourage unsustainable private car use.
- 4) Repositioning of the bus stop will be required.
- 5) The access position opposite a bus stop would cause a traffic safety hazard when buses are parked at the stop.
- 6) Poor pedestrian protection on the "ghost" island to be created on Inverkip Road.
- 7) Road capacity and access issues have not been adequately assessed.
- 8) Other industrial/business land is available for use under Policy B2 of the Local Plan.
- 9) There is a flood risk and, hence, a security risk at the site.
- 10) The need for a replacement prison has not been demonstrated.
- 11) There is no specific locational need at this site.
- 12) A prison within a residential area is contrary to the Local Plan.
- 13) Increase in noise levels from the proposed car park caused by traffic movements at all hours.
- 14) Concerns over height of boundary wall relative to objector's house.
- 15) Adverse impact of floodlights.
- 16) Fears over security of the site.
- 17) Proximity of buildings to the adjacent housing.
- 18) The National Planning Framework 2 does not include a new prisons programme.
- 19) The applicant has not produced a Scottish Prison Service Delivery Plan.
- 20) The application is a bad neighbour development.
- 21) New residential development would be a more appropriate use of the site.
- 22) Adverse impact on viability of future development proposals for the adjacent business park, including affordable housing plans.
- 23) The use of the IBM railway station by visitors to the prison would present the business park owner with operational difficulties.

ASSESSMENT

This assessment will consider both the planning merits of the proposal and the appropriate procedural requirements associated with determining the application.

In determining the application the Council shall have regard to the Development Plan and other matters material to the planning application. With reference to Scottish Government Guidance in Circular 4/2009, the considerations material to this application are the Glasgow and the Clyde Valley Joint Structure Plan, the Inverclyde Local Plan, Scottish Planning Policy, the applicant's supporting information, the views of consultees, letters of representation on valid planning matters and the impact of the development on natural heritage resources, infrastructure and surrounding land uses.

It is appropriate to determine the application in accordance with the Development Plan unless other material considerations indicate otherwise. The application site is within an area covered by policy H1 of the Inverclyde Local Plan, which seeks to safeguard the character and amenity of existing residential areas. Policy H9 allows for the introduction of new non-residential uses only where they are compatible with the character and amenity of the area. Firstly, it is necessary to consider the character of the site and surroundings. The site's history, being most recently occupied by two schools, attracts levels of vehicular and pedestrian activity with the consequential noise and disturbance above and beyond that generated by areas exclusively occupied by housing. Furthermore, the site is located on the fringe of the residential area and is bound by a railway line to the south, a busy road to the north and land in business use to the west. Also in the vicinity, amongst other non residential uses, are an electricity generating station, the new Inverclyde Academy, Ravenscraig Stadium, a social club and a petrol filling station. The land use in the area is clearly mixed, and as such the development of a non residential development is not in itself out of character.

The impact on residential amenity of existing houses still, however, requires to be considered. A context for assessment of the compatibility of the proposed prison to residential amenity is provided by the existing prison. This has operated for several decades surrounded on all sides by residential development. The Head of Safer and Inclusive Communities has no record of complaints being received from adjacent residents, particularly with respect to the key amenity issue of noise. The proposed prison would have a more spacious setting and be constructed to modern building standards and is likely to be more physically remote from housing. For example, to the north the nearest housing is situated on Inverkip Road, and is over 50 metres from the indicative compound. A substantial wedge of trees separates Flatterton Road from Inverkip Road as the hill rises, substantially obscuring the site from this view. To the east, housing in Aileymill Gardens is closest to the indicative car park, at least 50 metres from the compound position. Based on the characteristics of the site, the surrounding area and experience to date with the operation of the existing prison, I consider that the impact on residential amenity will be acceptable. Furthermore, when compared to the existing prison building, a more sympathetic architectural treatment of the proposed buildings can be achieved. Examples of modern prisons have been viewed as part of the pre-application process and I am satisfied that, given the site is located at the interface between existing residential and business development, as elsewhere a suitable contextual design solution can be achieved. Although the buildings would be contained within a walled compound I am again influenced by the spacious nature of the site and the possibility of a robust landscaping solution to provide a more visually pleasing context. These factors suggest to me that the proposed prison will be compatible with the character and amenity of the area and, therefore, that compliance with policies H1 and H9 can be achieved.

Turning to the other policies of the Local Plan, as a proposed development on a brownfield site it is supportive of policy DS1. With respect to policies TA2 and TA7, the site is accessible by walking and cycling and is adjacent to bus services on Inverkip Road. Railway stations at Branchton and IBM are also close at hand, with Branchton having an immediately adjacent bus stop providing a direct link to the application site. A Transport Assessment (TA) has been submitted with the application and accepted by Transport Scotland. Furthermore, the transport infrastructure is already in place and no further action is required in respect of policy TA9. On the basis of the Transport Scotland consultation response, and the lack of objection from the Head of Environmental and Commercial Services, I am satisfied that the requirements of policy TA12 may be adequately addressed.

I note that there are several trees and bushes on the site, mostly concentrated on the raised area to the south east. This part of the site may play a local ecological role and given that the proposed layout suggests that it need not be disturbed I consider that a condition should be imposed protecting this area. Such protection will address the requirements of policy HR10.

The location of the proposed development will encourage the use of existing infrastructure and therefore supports the aims of policy UT1. The level of information provided for a planning permission in principle application does not extend to detailed consideration of sustainable urban drainage systems. Nevertheless, their use is encouraged in major developments to help prevent flooding and it would be appropriate to condition a grant of permission accordingly. This will address the requirements of policy UT3. Finally, a flood risk assessment was submitted with the application and has been assessed by both the Council's Flooding Officer and SEPA. On the basis of their responses I am satisfied that, subject to the use of appropriate conditions, the requirements of policy UT4 will be met.

Overall, therefore, I conclude that the proposed development accords with the Local Plan. Addressing other material considerations, firstly the Scottish Planning Policy sets out Scottish Government policy on a range of considerations. The core policy is that development has to be sustainable. From my assessment of Local Plan policy I consider that the issues of brownfield development, proximity to a public bus route and railway station, retention of some natural features and the control of drainage from and through the site all accord with the relevant policy areas and

that, consequently, the proposal accords with the sustainable development aim of Scottish Planning Policy.

Turning to the consultation responses, the Council's landscape consultants cannot be conclusively satisfied over the visual impact of the proposed development due to the limited visual information that is submitted with an application for planning permission in principle. Details of proposed buildings and the assessment of their impact on the landscape may be more properly addressed at the detailed application stage. Their concerns also extend to a lack of understanding over how the applicant's consultants reached their conclusions on visual impact at this stage. Such impact, however, will need to be considered in the context of the substantial school buildings that presently occupy the site. A more detailed Landscape Visual Impact Assessment will require to be prepared with any subsequent detailed application but I am satisfied, at this stage, that the submitted LVIA contains sufficient information to provide a context for the potential visual impact of the proposed development and the parameters for mitigation that may be drawn upon once detailed design and massing becomes known. I also note the comments made by the Head of Environmental and Commercial Services relating to flood risk. I consider that these issues may be addressed by conditions and documentation which will accompany a subsequent detailed application. Noting that there are no objections in the comments made by Transport Scotland, SEPA, SportScotland, the Council's Biodiversity Officer and the Head of Safer and Inclusive Communities, the remaining issues they raise may be addressed by conditions on a grant of planning permission.

The issue of bats, which has been considered by SNH, requires resolution before planning permission can be issued. An application for a licence to address the presence of bats in buildings intended for demolition can only be made when the nature of the bats' presence has been firmly established and a planning permission granted. Surveys to date have suggested that bats may be present within the buildings, but the nature of their presence has not been firmly resolved. European Protected Species legislation (which applies to bats) requires that planning authorities should not determine applications until such times as firm evidence is provided as to the nature of the bats' presence and how that is to be addressed. A further survey will be required to determine this once bats become active following the winter hibernation period. This is generally some time in April. Such a timetable does, however, compromise project management of development and the Council cannot act outwith European Protected Species legislation.

Having concluded that the proposal is compliant with the Development Plan and Scottish Planning Policy and noted that, subject to the resolution of SNH concerns, there are no adverse consultation responses, it rests to address the points made by objectors:

- 1)-7) Relate to issues raised by the Transport Assessment (TA), including the proposed road re-configuration, perceived safety issues associated with re-configuration and perceptions of whether or not the proposed development would be, in this connection, sustainable or not. Three traffic consultants, including the applicant's consultants, have produced differing analyses of the TA. The consultants for the objectors have raised questions of analysis, interpretation and consequential provision. I accept that there may be disagreement between professionals over the conclusions of a TA but, for the purposes of assessing competing analyses and the conclusions reached I have to defer to Transport Scotland and the Head of Environmental and Commercial Services who have the expertise in this field. I note that both consultees have accepted the conclusions of the TA and, subject to matters which may be addressed by conditions, do not share the submitted objections. Furthermore, the proposal has to be considered in the context of the previous use of the site for two schools and the traffic issues generated at peak times. On this basis I am satisfied that the transport assessment satisfactorily addresses transportation issues raised by this proposal. The road improvements will help to address potential problems identified by the TA. For the avoidance of doubt, relocation of the bus stop will not be required.
- 8) Notwithstanding that a prison will be an employment generator, I do not regard location within business/industrial designated sites to be a specific policy requirement, and there is no policy requirement for a sequential approach to the selection of the prison site.

- 9) Potential flooding issues have been addressed through the submitted Flood Risk Assessment and the conclusions have been accepted by the Council's Flooding Officer and SEPA.
- 10) The Scottish Prison Service has identified the need for a replacement prison given the age of the present prison and a requirement to meet current standards. The prison has been judged to be no longer fit for purpose.
- 11) With regard to specific locational need and, more particularly, the planning assessment of locational need, there are no specific conditions in the relevant Local Plan policies that require the applicant to demonstrate such a need. The application has therefore to be determined on merit.
- 12) I have addressed the compatibility issue of the prison with the Local Plan above.
- 13) The layout of the site has not been finalised by the current application and it is therefore not possible to reach a conclusion over any noise implications for adjacent residential properties, however most vehicular movements associated with staff and visitor vehicles will be during daytime hours and will be assessed against the background noise from traffic movements on Inverkip Road. In assessing a future application for approval of reserved matters, due regard will be had to minimising impact.
- 14) The layout is not finalised and in assessing a future application for approval of reserved matters, regard will be had to minimising impact on the visual amenity of neighbours. I note that, as indicated in this application, the compound boundary wall would be approximately 50 metres from the nearest house. I also note that the adjacent houses are elevated relative to the proposed location of the prison compound. This combination of factors leads me to conclude that a high security wall need not have unacceptable amenity implications for houses at this distance.
- 15) I note concerns over possible light pollution nuisance from floodlights. It is not possible to comment at this stage as floodlight details do not form part of the application. This matter may be more properly addressed at a detailed application stage.
- 16) The nature of the security concerns are not specified by the objector and I therefore cannot comment further.
- 17) The exact position of buildings is not established by this application. Nevertheless, referring to the suggested layout and should this become the detailed layout, I am satisfied that a 40 metres distance between the prison compound and private residences is not unreasonable and compares favourably with the current prison. The buildings within this compound would be situated further from the houses.
- 18) The proposed replacement of a prison locally is not a national issue relevant to the National Planning Framework 2.
- 19) The absence of a Scottish Prison Service Delivery Plan is not a relevant material consideration. The necessary supporting information has been provided by the applicant to explain the background to the proposal.
- 20) The purpose of identifying "bad neighbour" (now a Schedule 3) development is solely to ensure appropriate levels of publicity through the publication of a press notice. This was undertaken.
- 21) Whilst residential development may be an appropriate use for the site the current application has to be assessed on merit with reference to the Development Plan and other material considerations. This has been done.

- 22) As matters stand according to the Local Plan, office/industry uses in accordance with policy B2 are the uses that are acceptable in principle on the adjacent site. No applications have been made and no permissions granted for alternative uses on the adjacent site. In the same way that I have assessed the impact on residential amenity, I have considered the impact of the proposed prison on the adjacent business land and consider the proposal to be acceptable.
- 23) The railway station at the IBM factory is readily accessible to members of the public. The objector has not expanded on the nature of the operational concerns that could be encountered other than to point out that visitors to the prison may cross their land. Notwithstanding this, the railway station at the IBM factory is only one means of public transport based access to the site and I am satisfied that regardless, the railway station at Branchton and the bus services along Inverkip Road would ensure reasonable public transport access to the site.

The assessment of all of the above is necessary to conclude on the strategic implications of the proposal and compatibility with the Glasgow and the Clyde Valley Joint Structure Plan. Strategic Policy 9 identifies the criteria that should be applied to determine whether the proposal accords with the Structure Plan, while Schedule 9 identifies scales of development that should be considered significant. Strategic Policy 10 informs that any proposal which fails to meet the relevant criteria will be regarded as a departure from the Development Plan. The criteria in Strategic Policy 9 are based on need, sustainable locations and the adequacy of measures to address environmental and infrastructure implications. I am satisfied that the proposal is compliant. Furthermore, the scale of the development is below the significant threshold in Schedule 9. This being the case, the proposal is compliant with the Structure Plan.

I therefore conclude that the proposal is in accord with the Development Plan, and subject to the resolution of SNH concerns over bat protection, there are no other material considerations to suggest that planning permission should be refused.

Moving on to procedure, as the proposed development site exceeds 2 hectares, this development is deemed within the hierarchy of development to be major. As a consequence, the applicant is required to undertake pre-application consultation. The regulatory requirements have been complied with. As an enhanced scrutiny measure, pre application hearings are required for major developments which are significantly contrary to the Development Plan. This procedure allows the applicant and those making representations on an application the opportunity of a hearing before the Planning Board. I am satisfied that the development is in accord with the Development Plan, and as such a pre-determination hearing is not required. It is further noted that there is the legislative opportunity to permit the holding of hearings for any development not covered by mandatory requirements, but that it is not the practice of Inverclyde Council to accommodate this process.

There is a statutory requirement to refer certain applications to the Scottish Ministers. As Inverclyde Council, in the role of landowner, has an interest in the application, referral to the Scottish Ministers is necessary if the development is deemed to be significantly contrary to the development plan. I am satisfied that the development is in accord with the Development Plan, and as such notification is not required on this basis. Objections from Government agencies also trigger the requirement to refer to the Scottish Ministers. There are no objections from Transport Scotland, SportScotland and SEPA. SNH, however, advise that there is currently insufficient information to allow the Council to ensure that the development will not adversely impact on bats. This is a matter that cannot be addressed by planning conditions, and Scottish Government advice is clear that failure to resolve such issues in advance of issuing planning permission is unacceptable. I am comforted by the advice from SNH that there is unlikely to be significant adverse impact, however clearance will not be forthcoming until a further bat survey is undertaken in the spring.

As a key economic project that accords with the Development Plan, it is considered important to assist the development programme while ensuring that proper legislative and administrative procedures are followed. To facilitate and provide comfort to the applicant that a planning permission in principle will be forthcoming, this may be provided by the Planning Board conferring delegated powers to allow the eventual issuing of a decision notice once the necessary additional bat survey work has been completed and matters concluded to the satisfaction of SNH. SNH advise that based on the on-site assessment done to date, it is unlikely that a significant roost will be present. Any detrimental impact on bats is likely to be adequately addressed through standard mitigation measures.

RECOMMENDATION

That delegated powers be conferred to the Head of Regeneration and Planning to grant planning permission in principle, subject to the submission and approval by the Head of Regeneration and Planning, in conjunction with SNH, of a further detailed bat survey of the application site and the following conditions:

Conditions

1. This permission is granted under the provisions of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 on an application for planning permission in principle and further approval of the Council or of the Scottish Ministers on appeal shall be required with respect to the under mentioned matters hereby reserved before any development is commenced:
 - a. the siting, design and external appearance of any building(s) to which the planning permission or the application relates;
 - b. details of the access arrangements;
 - c. details of landscaping of the site.
2. That the development shall not commence until a risk assessment, including any necessary remediation strategy with timescale for implementation, of all pollutant linkages, has been submitted to and approved in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options.
3. That on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing by the Planning Authority, confirming that the works have been carried out in accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site.
4. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing, by the Planning Authority.
5. That no material shall be imported onto the site until written details of the source of the imported material has been submitted for approval, in writing, by the Planning Authority. The details, which shall be submitted no later than four weeks prior to the material being imported onto the site, shall include: the source of the imported material, any potential

source(s) of contamination within 50 metres of the source of the material to be imported and verification analysis information. The material must not be imported on to the site until written approval has first been received from the Planning Authority. The material from the source agreed only shall be imported in strict accordance with these agreed details.

6. That prior to the commencement of any part of the development hereby permitted, the new access junction (generally in accordance with the layout shown on Steer Davies Gleave Drawing SK-101A, dated 22nd December 2010) shall be implemented on the A78 to the satisfaction of the Planning Authority after consultation with Transport Scotland (TRNM, TRBO).
7. That on completion of the new access junction referred to in condition 6 above the existing access, located approximately 180 metres to the west of the proposed new access, shall be closed and reinstated to the satisfaction of the Planning Authority in consultation with Transport Scotland.
8. That there shall be no drainage connections to the trunk road drainage system.
9. That prior to the commencement of any part of the development hereby permitted, details of the lighting within the site shall be submitted for the approval of the Planning Authority in consultation with Transport Scotland (TRNM, TRBO).
10. That notwithstanding the terms of condition 1 above, the tree and shrub area to the south east of the site hatched red on the plans hereby approved, shall be protected from development. The area shall be cordoned off during construction work on the adjacent site and protected in line with British Standards Recommendations for Trees in Relation to Construction, currently BS 5837:2005.
11. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details of the maintenance regime for the water detention areas shall be submitted to and approved in writing by the Planning Authority.
12. That clearance of vegetation shall be undertaken outwith the breeding season of March to August.
13. That details of the maintenance and management for all areas of soft landscaping within the development shall be submitted to and approved in writing by the Planning Authority prior to the start of development. The programme shall commence upon the start of development.
14. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found. Development shall not proceed until treatment is completed as per the approved methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.
15. In the event that the indicative design layout changes and involves any form of development within the 200 year floodplain this should involve re-consultation with relevant parties, provision of appropriate flood management and updated modelling to ensure at least a neutral effect on flood risk.
16. That before construction work commences on the development hereby permitted, detailed designs for the bridge providing access to the site and updated flooding modelling, shall be submitted to and approved in writing by the Planning Authority.

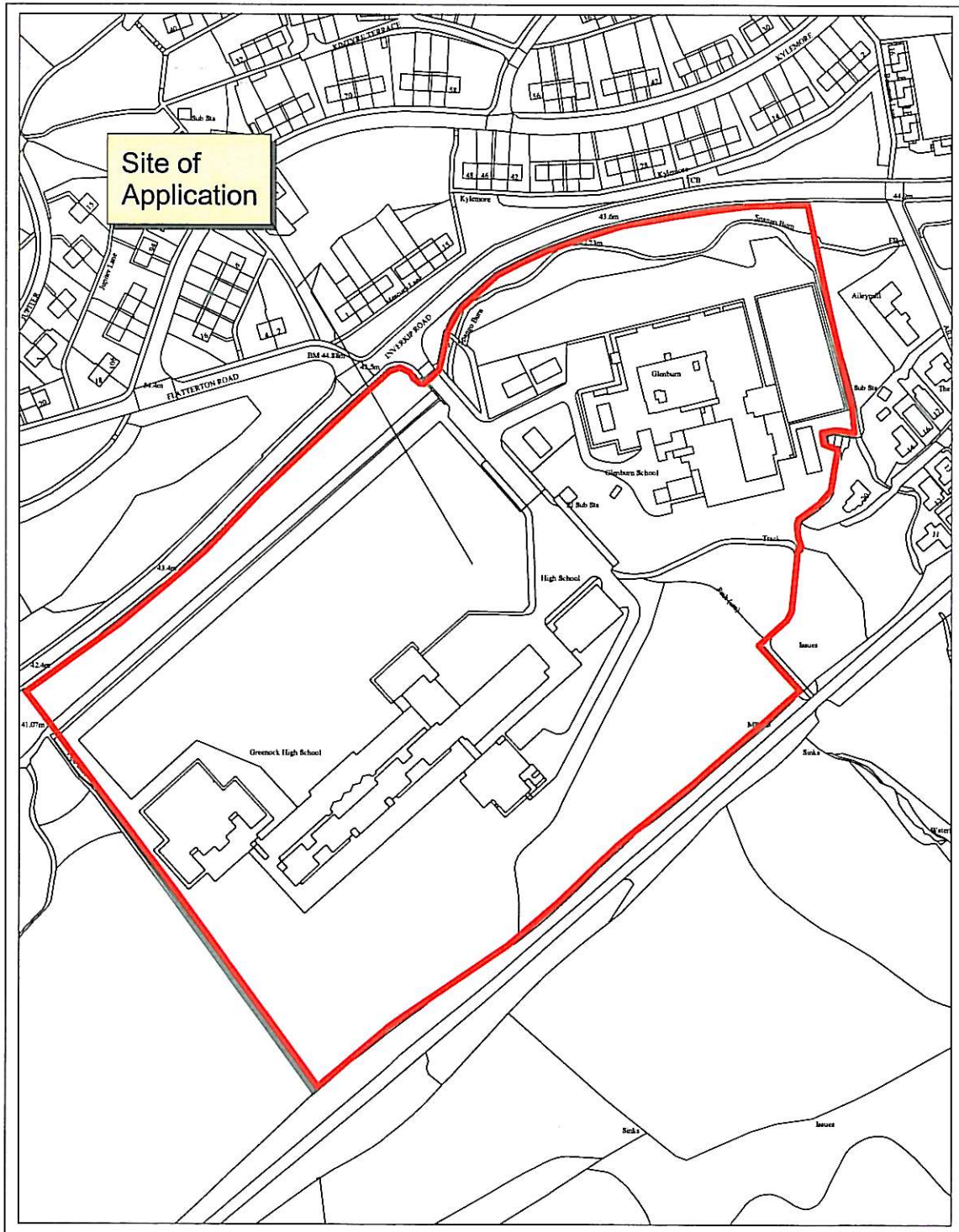
17. That before construction work commences on the development hereby permitted, confirmation shall be provided in writing that the flood risk management regime, as set out in section 1.5.3 and Site Safety sections 4.7- 4.8 of the approved Flood Risk Assessment, prepared by ENVIRON and dated February 2011, is to be adopted.

Reasons

1. To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. To satisfactorily address potential contamination issues in the interests of environmental safety.
3. To provide verification that remediation has been carried out to the Planning Authority's satisfaction.
4. To ensure that all contamination issues are recorded and dealt with appropriately.
5. To protect receptors from the harmful effects of imported contamination.
6. To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.
7. To ensure that the movement of traffic and pedestrians is confined to the permitted means of access thereby lessening the danger to and interference with the free flow of traffic on the trunk road.
8. To ensure that the efficiency of the existing drainage network is not affected.
9. To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.
10. To ensure the avoidance of damage to trees in the interests of nature conservation.
11. To control runoff from the site to reduce the risk of flooding.
12. In the interests of wildlife and to ensure works are not in breach of the Wildlife and Countryside Act 1981.
13. To ensure that the visual amenity of such a high profile site is maintained.
14. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
15. To ensure no part of the development land is unacceptably affected by any flooding.
16. To help ensure that adjacent land is not unacceptably affected by flooding.
17. To help minimise possible flooding events within and adjacent to the site.

BACKGROUND PAPERS

1. Application form and plans
2. Applicant's supporting information
3. Inverclyde Local Plan
4. The Glasgow and the Clyde Valley Joint Structure Plan
5. Scottish Planning Policy
6. Consultation replies
7. Letters of representation.



Drawing No. 10/0346/IC Greenock Prison.

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